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Docket No. (AMENDED): 76897-018CIP3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: BORIS MASLOV, et al.	)	Confirmation No: 4040
	)	
Application No.: 10/736,896	)	Group Art Unit: 2837
	)	
Filed: DECEMBER 17, 2003	)	Examiner: COLON, S.
For: IN-WHEEL ELECTRIC MOTORS		

United States Patent and Trademark Office  
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**PAYMENT OF DEFICIENCY UNDER 37 C.F.R. 1.28(C) AND  
NOTIFICATION REGARDING CHANGE IN STATUS**

Sir:

This is a notification of a change in status filed pursuant to 37 CFR § 1.28(c). Small entity status is no longer claimed as of August 1, 2006.

The RCE, three-month extension and additional independent claims that was filed on October 30, 2006, was improperly paid as small entity in the amount of \$1,205.00. The patent owner hereby provides notice under 37 CFR § 1.28(c) that the RCE, three-month extension and additional independent claim fees that was filed on October 30, 2006, was improperly paid as small entity in the amount of \$1,205.00, where small entity status had been properly established but is no longer appropriate, and requests that this matter be treated under 37 CFR § 1.28(c).

Accordingly, pursuant to 37 CFR § 1.28(c)(2), the Commissioner is hereby authorized to deduct the deficiency owed (totaling \$1,205.00 which is \$395.00 for the additional RCE application fee ; \$510.00 for additional three-month extension fee and \$300.00 for additional independent claim fee under large entity status) for this previous fee erroneously paid as a small entity from Deposit Account 50-3840. The undersigned believes no additional fees are due upon submission of this paper. However, if any additional fees are due (i.e., more than \$1,205.00), the Commissioner is hereby authorized to deduct them from Deposit Account No. 50-3840. A Fee

03/27/2007 AWDNDAF1 00000028 503840 10736896

01 FC:1801	790.00 DA
02 FC:1201	600.00 DA
03 FC:1253	1020.00 DA

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Application No. 10/736,896  
Page 2 of 2

Transmittal Form authorizing this payment is included with the present filing. By payment of this deficiency, notification is provided of loss of entitlement to small entity status under 37 CFR §1.27(g)(2), pursuant to 37 CFR § 1.28(d).

Date: March 26, 2007  
Patent Administrator  
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Washington, DC 20004  
Telephone: 202.416.6800  
Facsimile: 202.416.6899  
CUSTOMER NO: 61263

Respectfully submitted,



David W. Laub  
Attorney for Applicant  
Reg. No.: 38,708

Customer No. 61263

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Date March 26, 2007 Attorney Docket No. 76897-018CIP3

Total Pages (Including Cover) 6

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Fax No.: 571-273-8300

Message

**OFFICIAL COMMUNICATION**

**AUTHORIZATION TO DEBIT DEPOSIT ACCOUNT 50-3840 FOR \$1,205.00 FEES TO COVER DEFICIENCY IN PAYMENT OF ISSUE FEE**

RE: U.S. Application No. 10/736,896  
Filing Date: DECEMBER 17, 2003  
First Named Inventor: BORIS MASLOV, ET AL.  
Art Unit: 2837  
Examiner: COLON, S.

**SUBMITTED PAPERS:**

- CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8 FORM PTO/SB/97 (1 page)
- TRANSMITTAL FORM PTO/SB/21 (1 page)
- FEE TRANSMITTAL FORM PTO/SB/17 (1 page)
- PAYMENT OF DEFICIENCY AND NOTIFICATION REGARDING CHANGE IN STATUS (2 pages)

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PTO/SB/27 (09-04)

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## Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on March 26, 2007

Date



Signature

David W. Laub

Typed or printed name of person signing Certificate

38,708

202-416-6800

Registration Number, if applicable

Telephone Number

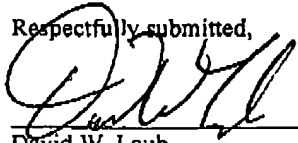
Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

**IDENTIFIED SUBMITTED PAPERS RE: APPLN NO. 10/736,896:**

- TRANSMITTAL FORM PTO/SB/21 (1 page)
- FEE TRANSMITTAL FORM PTO/SB/17 (1 page)
- PAYMENT OF DEFICIENCY UNDER 37 CFR 1.28(C) AND NOTIFICATION REGARDING CHANGE IN STATUS(2 pages)

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

FEE TRANSMITTAL FY 2007					Complete if Known		RECEIVED CENTRAL FAX CENTER MAR 26 2007																																																																																								
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<input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 50-3840 <input checked="" type="checkbox"/> Required Fees (copy of this sheet enclosed). <input checked="" type="checkbox"/> Additional fee required under 37 CFR 1.16 and 1.17. <input checked="" type="checkbox"/> Overpayment Credit.					<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>130</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>50</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>130</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>2,520</td> <td>2,520</td> <td>Request for ex parte re-examination</td> <td></td> </tr> <tr> <td>120</td> <td>60</td> <td>Extension for reply within 1<sup>st</sup> mo.</td> <td></td> </tr> <tr> <td>450</td> <td>225</td> <td>Extension for reply within 2<sup>nd</sup> mo.</td> <td></td> </tr> <tr> <td>1,020</td> <td>510</td> <td>Extension for reply within 3<sup>rd</sup> mo.</td> <td></td> </tr> <tr> <td>1,590</td> <td>795</td> <td>Extension for reply within 4<sup>th</sup> mo.</td> <td></td> </tr> <tr> <td>2,160</td> <td>1,080</td> <td>Extension for reply within 5<sup>th</sup> mo.</td> <td></td> </tr> <tr> <td>500</td> <td>250</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>500</td> <td>250</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>1,000</td> <td>500</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>400</td> <td>0</td> <td>Petitions to the Director</td> <td></td> </tr> <tr> <td>180</td> <td>180</td> <td>Submission of IDS</td> <td></td> </tr> <tr> <td>790</td> <td>395</td> <td>Filing a submission after final rejection (37 CFR 1.129(a))</td> <td></td> </tr> <tr> <td>790</td> <td>395</td> <td>For each additional invention to be examined (37 CFR 1.129(b))</td> <td></td> </tr> <tr> <td>100</td> <td>100</td> <td>Certificate of Correction for applicant's error</td> <td></td> </tr> <tr> <td>130</td> <td>65</td> <td>Submission of Terminal Disclaimer</td> <td></td> </tr> <tr> <td colspan="2">Other fee (Specify)</td> <td>Deficiency Charges</td> <td>\$1,205.00</td> </tr> <tr> <td colspan="2">Other fee (Specify)</td> <td colspan="2"></td> </tr> <tr> <td colspan="2" style="text-align: right;"><b>4. TOTAL:</b></td> <td colspan="2"></td> </tr> </tbody> </table>			Large Entity	Small Entity	Fee Description	Fee Paid	130	65	Surcharge - late filing fee or oath		50	25	Surcharge - late provisional filing fee or cover sheet		130	130	Non-English specification		2,520	2,520	Request for ex parte re-examination		120	60	Extension for reply within 1 <sup>st</sup> mo.		450	225	Extension for reply within 2 <sup>nd</sup> mo.		1,020	510	Extension for reply within 3 <sup>rd</sup> mo.		1,590	795	Extension for reply within 4 <sup>th</sup> mo.		2,160	1,080	Extension for reply within 5 <sup>th</sup> mo.		500	250	Notice of Appeal		500	250	Filing a brief in support of an appeal		1,000	500	Request for oral hearing		400	0	Petitions to the Director		180	180	Submission of IDS		790	395	Filing a submission after final rejection (37 CFR 1.129(a))		790	395	For each additional invention to be examined (37 CFR 1.129(b))		100	100	Certificate of Correction for applicant's error		130	65	Submission of Terminal Disclaimer		Other fee (Specify)		Deficiency Charges	\$1,205.00	Other fee (Specify)				<b>4. TOTAL:</b>			
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If the specification and drawing exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).																																																																																															
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PATENT ADMINISTRATOR Proskauer Rose LLP 1001 Pennsylvania Avenue, N.W., Suite 400 Washington, D.C. 20004 Tel. No.: (202) 416-6800 Fax No.: (202) 416-6899 CUSTOMER NO: 61263																																																																																															
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					Respectfully submitted,  David W. Laub Attorney for the Applicant(s) Proskauer Rose LLP 1001 Pennsylvania Ave., N.W., #400 Washington, D.C. 20004																																																																																										
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